

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

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JOHN R. WALKER,

Petitioner,

v.

Case No.: 01-CV-848

Senior District Judge Weber

Magistrate Judge Black

JEFFREY A. WOLFE, Warden
Respondent.

**PETITIONER JOHN R. WALKER'S MOTION FOR AN EXTENSION OF TIME
WITHIN WHICH TO FILE AN OBJECTION TO THE REPORT AND RECOMMENDATION
ISSUED BY THE HONORABLE TIMOTHY S. BLACK, UNITED STATES MAGISTRATE
JUDGE IN THE ABOVE-ENTITLED ACTION**

COMES NOW the Petitioner, John R. Walker, and herewith seeks an extension of time of 14 days in which to object to the Magistrate Judge's Report and Recommendation for the following reasons:

- 1.) After receiving this report and recommendation on 11/22/2004, the only legal research asset that he has access to will be closed until 11/29/2004.

- 2.) The pivotal "**onset date**" of his mental illness is in dispute in Case no. 3:04CV324, a civil action in Mandamus against the Social Security Administration, in the United States District Court, for the Eastern District of Virginia, Richmond Division. Discovery of pertinent facts affecting this petition should be received on/or about 12/7/2004, after a discovery response.

3.) There is evidence that was deleted, depreciated, and/or misconstrued due in part to petitioner's lack of persuasive, concise, and succinct writing skills and arguments.

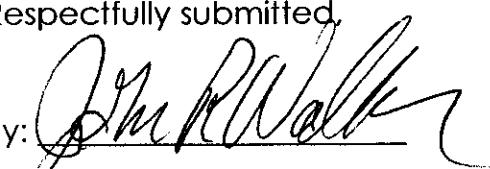
4.) The petitioner wishes to present rebuttal evidence as to respondent's law library's insufficiencies, how James Nelson was 100% involved in this original petition, and insight into petiole's mental illness via a petition for a writ of habeas corpus ad testificandum for Inmate James Nelson, whom was-at last contact on 8/16/2002-housed at Noble Corrections, Dorm Unit E-1, Ohio Dept. of Corrections.

5.) There was evidence of mental stress and anguish immediately proceeding the 12/1/1999, court date at the Hamilton County jail, of which records may be recoverable, even at this late date.

WHEREFORE, for good cause and the reasons stated herein, it is respectfully requested that the Petitioner be accorded an extension of time until December 13, 2004, within which to file an Objection to the foregoing Reports and Recommendation.

Respectfully submitted,

By:


John R. Walker-pro se

Apartment H

1416 Arm field Road

Richmond, Virginia

23225-7542

I declare under the penalty of perjury that the foregoing

Is true and correct. Executed on November 29, 2004.

By:


John R. Walker-pro se
Petitioner

CERTIFICATE OF SERVICE

I hereby certify that one true copy of the foregoing was mailed by 1st class regular mail to Jim Petro, Atty. General of Ohio, in care of Diane Mallory, Asst. Atty. General, Corrections Litigation Section, 150 East Gay Street, 16th Floor, Columbus, Ohio, 43215 on November 29, 2004.

By:


John R. Walker-pro se
Petitioner